



Crl.O.P.No.26858 of 20253

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2025

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No. 26858 of 2025

and

Crl.M.P.Nos.18293 and 18297 of 2025

Randolph Alves

... Petitioner

Vs.

State of Tamil Nadu
Rep.by The Drug Inspector,
Chengalpattu I Range,
O/o.The Assistant Director of Drugs Control,
Kancheepuram Zone, DMS Campus,
Chennai – 600 006.

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to call for the records on the file of the learned Chief Judicial Magistrate Court, Kancheepuram in C.C.No.60 of 2024 and quash the same.

For Petitioner : Mr.Gautam S.Raman
For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the complaint in C.C.No.60 of 2024 on the file of the Chief Judicial



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Magistrate Court, Kancheepuram.

WEB COPY 2. The petitioner/A2 seeks to quash the private complaint filed by the respondent/*de-facto* complainant under Sections 18(a)(i) and 18B of the Drugs and Cosmetics Act, 1940, which is punishable under Sections 27(d) and 28-A of the Drugs and Cosmetics Act, 1940, mainly on the ground that there is no specific overt act attributed as against the petitioner and hence, the complaint itself is not maintainable.

3. The legal position established by the learned counsel for the petitioner is not in dispute. However, the fact remains that the trial has already been over and now the case is pending at the stage of questioning under Section 313 Cr.P.C. Therefore, it is left open to the petitioner to raise all the grounds before the Court below and the Court below shall take note of the legal position and dispose of the case on merits and in accordance with law as expeditiously as possible.

4. In view of the above, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

26.09.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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WEB COPY

To

1. The Chief Judicial Magistrate,
Kancheepuram.
2. The Drug Inspector,
Chengalpattu I Range,
O/o.The Assistant Director of Drugs Control,
Kancheepuram Zone, DMS Campus,
Chennai – 600 006.
3. The Public Prosecutor,
High Court, Madras.



WEB COPY



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N. SATHISH KUMAR, J.

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